

**U.S. Department of the Interior  
Bureau of Land Management**

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**Finding of No Significant Impact and Decision Record  
For  
Lincoln County Sage Grouse Habitat  
Restoration Project  
EA-NV-040-08-05**

U.S. Department of the Interior  
Bureau of Land Management  
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### **Finding of No Significant Impact Determination:**

The BLM has reviewed environmental assessment (EA) NV-040-08-05. Based on the analysis of potential environmental impacts contained in the attached EA, and considering the significance criteria in 40 CFR 1508.27, the BLM has determined that the proposed action with the project design specifications (minimization measures) will not have a significant effect on the human environment. Therefore, an environmental impact statement is not required. This finding and conclusion is based on my consideration of the Council of Environmental Quality's (CEQ) criteria for significance (40 Code of Federal Regulations 1508.27), both with regard to the context and the intensity of impacts described in the EA. This analysis ties to the Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States EIS (2007) and Final Vegetation Treatment on BLM Lands in Thirteen Western States EIS (1991) and Vegetation Treatments on BLM Lands in Thirteen Western States Programmatic Environmental Report (2007).

### **Context:**

The project is a site-specific action directly involving approximately 9,500 acres of BLM administered land that by itself does not have international, national, regional, or state-wide importance. The impacts of the sage grouse restoration project would be beneficial to most resources and offsetting some adverse effects of other actions. Though there are many temporary, localized impacts to resources, no long term negative impacts resulting from the proposed action occur.

### **Intensity:**

The following discussion is organized around the Ten Significance Criteria described in 40 CFR 1508.27 and incorporated into BLM's Critical Elements of the Human Environment list (H-1790-1), and supplemental Instruction Memorandum, Acts, regulations and Executive Orders. The following have been considered in evaluating intensity for this proposal:

#### ***1.) Impacts that may be both beneficial and adverse.***

The environmental assessment has considered both beneficial and adverse impacts of vegetation alteration for sage grouse habitat restoration. Overall, the project will result in improved vegetative condition for the areas under consideration. Ancillary effects of overall habitat improvement are, increased biodiversity of native plants and animals, improved watershed health, and a more functional condition of riparian areas will result over the long term.

#### ***2.) The degree to which the proposed action affects public health or safety.***

The proposed action will have no adverse or beneficial effects to public health or safety.

#### ***3.) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.***

There are no unique characteristics in the geographic area of the proposed action.

**4.) *The degree to which the effects on the quality of the human environment are likely to be highly controversial.***

The methods of vegetation treatment activities are scientifically accepted, and are commonly employed to meet resource or management objectives. The effects from implementing the mechanical and chemical treatments are well known and documented and not considered to be highly controversial.

**5.) *The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.***

There are no known effects of the proposed action identified in the EA that are considered uncertain or involve unique or unknown risks. All vegetation treatment methods proposed are accepted standard management practices.

**6.) *The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.***

The proposed action will not establish a precedent for future actions.

**7.) *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.***

No significant cumulative impacts have been identified in the EA. Other habitat restoration and vegetation alteration projects are ongoing and may be proposed in the future; based on species populations, fire history, and vegetation response to fire. These projects seen together with other land disturbing activities in the area would not result in cumulatively significant impacts at the local or watershed scale.

**8.) *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the NRHP or may cause loss or destruction of significant scientific, cultural, or historical resources.***

The proposed action will not adversely affect any sites eligible sites for listing in NRHP or cause the loss of significant scientific, cultural, or historical resources. Cultural and historic sites in the treatment areas will be avoided with a 20m buffer.

**9.) *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the ESA of 1973.***

There are no threatened or endangered species within the treatment areas.

**10.) *Whether the action threatens a violation of federal, state, or local laws or requirements imposed for the protection of the environment.***

The proposed action does not threaten a violation of federal, state, or local laws or requirements imposed for the protection of the environment.

## **Decision Record**

### **Decision:**

I have decided to authorize the Lincoln County sage grouse habitat restoration project as described in the proposed action of EA-NV-040-08-05. My decision is based on the rationale below.

### **Alternatives Considered:**

The no action alternative was also analyzed in the EA. It would entail no vegetation alteration leading to a continuous decline in sage grouse habitat. Other alternatives considered but eliminated from detailed analysis due to feasibility issues, degree of impact, or inability to satisfy the purpose and need for the action were disking, pipe harrowing, and prescribed fire.

### **Rationale for Decision:**

Based on the analysis contained in the Lincoln County Sage Grouse Habitat Restoration EA, the BLM has determined the proposed action is in conformance with the approved Schell Management Framework Plan (MFP) and is consistent with plans and policies of neighboring local, county, state, tribal governments, and federal agencies. A preliminary EA was made available to the public on the BLM website for a 30 day comment/review period. Substantive comments were addressed in this final EA.

### **Appeal Procedures:**

All of the documents supporting this decision are available for review by the public. Appeal procedures for this decision are outlined in Title 43 CFR, Part 4. In accordance with Title 43 CFR 4.410, any party to a case who is adversely affected by the decision of an officer of the Bureau of Land Management shall have a right to appeal to the Interior Board of Land Appeals (Board). In accordance with Title 43 CFR 4.411, a person who wishes to appeal the decision must file a notice that he wishes to appeal in the office of the authorized officer who made the decision. In accordance with Title 43 CFR 4.413, within 15 days of filing the notice of appeal and any petition for stay, the appellant also must serve a copy of the appeal and any petition for stay on any person named in the decision and on the Office of the Solicitor in the manner prescribed in Title 43 CFR 4.401(c). The office to file notice of appeal and a copy of the notice to appeal:

Bureau of Land Management  
Ely Field Office  
HC 33 Box 33500  
Ely, NV 89301

Office of the Regional Solicitor  
Pacific Southwest Region  
U.S. Department of the Interior  
2800 Cottage Way, Room E-2753  
Sacramento, CA 95825-1890

A person served with the decision being appealed must transmit the notice of appeal in time for it to be filed in the office where it is required to be filed within 30 days after the date of service. In

accordance with Title 43 CFR 4.411 (b), the notice of appeal may include a statement of reasons for the appeal, a statement of standing if required by Title 43 CFR 4.412 (b), and any arguments the appellant wishes to make. In accordance with Title 43 CFR 4.412 (a), if the notice of appeal did not include a statement of reasons for the appeal or the appellant wishes to file additional statements of reasons, the appellant shall file such statements with the Board within 30 days after the appeal was filed. The address to file such statements to the Board is:

Board of Land Appeals  
Office of Hearings and Appeals  
801 North Quincy Street  
Arlington, VA 22203

If statement of reasons for appealing were filed with the "Notice of Appeal", no additional statement is necessary. Pursuant to Title 43 CFR 4.21 (b), an appellant also may petition for a stay of the final decision pending appeal by filing a petition for stay along with the notice of appeal. At the conclusion of any document that a party must serve, the party or its representative must sign a written statement certifying that service has been or will be made in accordance with the applicable rules and specifying the date and manner of such service (Title 43 CFR 4.422(c)(2)).



Michael Brown  
Field Manager  
Schell Field Office

8-18-08

Date